



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

VIA ELECTRONIC MAIL

February 17, 2017

Mr. Jeffrey Olyphant
Peabody Midwest Mining, LLC
566 Dickeyville Rd
Lynnville, Indiana 47619

Dear Mr. Olyphant:

Re: Request to Modify
NPDES General Permit No. ING040038
IDNR Permit Nos. S-150, S-159, S-322, and S-335
Peabody Midwest Mining, LLC-
Somerville South Mine
8278 S. County Road 850 E.
Elberfeld, IN, Gibson County

Your NPDES permit Notice of Intent letter received on January 10, 2017, requesting modification of the above-referenced general permit coverage, has been reviewed. The materials request the following change to your coverage:

Existing outfall 001 (latitude 38°, 14', 10.3", longitude -87°, 24', 16.5", discharging to Smith Fork of Pigeon Creek) is to be dropped from coverage.

We have reviewed the NOI and have determined that the mining activities associated with the requests are not the result of any new or expanded permitted mining operations. Mining activity is a process of sequential coal removal and reclamation and as mining progresses and reclamation follows these activities will not result in any anticipated discharges to a receiving stream. We have determined that there will not be a new or increased loading of pollutants into the receiving stream(s), therefore the approval of this modification of coverage is in compliance with the antidegradation standards at 327 IAC 2-1.3.

The request has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. We have been in contact with representatives of the IDNR in Jasonville, Indiana who have confirmed that the watersheds reporting to Outfall 001 are completely reclaimed and have been stable for more than two years. They concur, as does our office, that this request may therefore be granted. Coverage for the facility will now include all outfalls listed on the first table of Attachment 1 to this correspondence.

The NPDES general permit coverage number assigned to this facility in the previous approval will continue to apply. Reporting is to be done using the federal Discharge Monitoring Report (DMR) form and the state Monthly Monitoring Report (MMR) form. The MMR form can be found on the internet at <http://www.in.gov/idem/cleanwater/2396.htm>. Both the state and federal forms need to be completed and submitted on a routine basis. Please note that IDEM will no longer accept paper DMR or MMR forms. All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Helen Demmings at



Mr. Jeffrey Olyphant
Page 2

(317) 232-8815 if you would like more information on NetDMR. Information is also available on our website at <http://IN.gov/idem/cleanwater/2422.htm>

This modification shall become effective on **March 1, 2017**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all remaining outfalls remains effective, and will expire on **May 31, 2017**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that IDEM shall serve notice of its decision to accept your facility for coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. A copy must also be served upon IDEM. Addresses are:

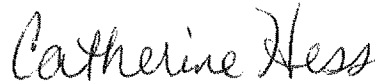
Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, IN 46204

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/

Attachment

CC: Gibson County Health Department
Andrew Nelson, Peabody Midwest Mining
Todd Huff, IDNR, Division of Reclamation

ATTACHMENT 1

Peabody Midwest Mining, LLC- Somerville South Mine

NPDES PERMIT NO. ING040038EFFECTIVE DATE: March 1, 2017IDNR PERMIT NUMBERS S-150, S-159, S-322, S-335

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
004*	S-159 SP4 DC- P2	38°, 12', 32"	-87°, 23', 43"	POST-MINING	Big Creek
18N*	S-322 018N	38°, 14', 8"	-87°, 21', 49"	ALKALINE	Smith Fork of Pigeon Creek
20A	S-335 020	38°, 13', 58"	-87°, 22', 3"	POST-MINING	Unnamed Tributary to Smith Fork
022	S-335 022	38°, 14', 40"	-87°, 21', 39"	ALKALINE	Unnamed Tributary to Smith Fork
032	S-335 012	38°, 14', 2"	-87°, 23', 29"	POST-MINING	Smith Fork of Pigeon Creek
039	S-322 039	38°, 14', 14"	-87°, 20', 37"	ALKALINE	Unnamed Tributary to Smith Fork
040	S-322 040	38°, 14', 23"	-87°, 20', 34"	ALKALINE	Smith Fork of Pigeon Creek
041	S-335 041	38°, 14', 23"	-87°, 20', 41"	ALKALINE	Smith Fork of Pigeon Creek
060	S-335 060	38°, 14', 08"	-87°, 19', 53"	ALKALINE	Smith Fork of Pigeon Creek
<u>063*</u>	S-335 063	38°, 12', 47"	<u>-87°, 19', 51"</u>	ALKALINE	Unnamed tributary to Big Creek
066**	S-335 066	38°, 12', 21"	-87°, 19', 53"	ALKALINE	Unnamed tributary to Big Creek
068**	S-335 068	38°, 13', 48"	-87°, 20', 31"	ALKALINE	Unnamed Tributary to Smith Fork
070	S-335 070	38°, 14', 15"	-87°, 20', 16"	ALKALINE	Smith Fork of Pigeon Creek
074**	S-335 074	38°, 13', 10"	-87°, 20', 23"	ALKALINE	Unnamed tributary to
075**	S-335 075	38°, 12', 33"	-87°, 19', 50"	ALKALINE	Big Creek
136**	S-322 036	38°, 14', 8.3"	-87°, 21', 33.6"	ALKALINE	Smith Fork of Pigeon Creek

*indicates outfalls whose coordinates have been updated to as-built status

** indicates unconstructed outfalls

The following forty outfalls have been removed and are no longer covered under this permit:

001*	S-150 001	38°, 14', 10.3"	-87°, 24', 16.5"	Area fully reclaimed	Smith Fork of Pigeon Creek
002*	S-150 002	38°, 13', 40"	-87°, 24', 24"	Area fully reclaimed	Big Creek
003	S-150 003	38°, 13', 30"	-87°, 24', 39"	Outfall removed	Smith Fork of Pigeon Creek
03A	S-159 03A	38°, 57', 31.3"	-87°, 24', 38.4"	Outfall removed	Big Creek
04A	S-335 004	38°, 12', 45"	-87°, 22', 20"	Area fully reclaimed	Big Creek
005	S-159 005	38°, 13', 22"	-87°, 24', 31"	Outfall removed	Big Creek
05A	S-335 05A	38°, 12', 28"	-87°, 22', 37"	POST-MINING	Big Creek
006	S-159 006	38°, 56', 33.5"	-87°, 17', 10.5"	Outfall removed	Big Creek
07R*	S-150 007	38°, 13', 34"	-87°, 24', 24"	Area fully reclaimed	Big Creek
008	S-150 008	38°, 00', 28"	-87°, 18', 43.7"	Outfall removed	Big Creek
009	S-159 009	38°, 00', 41.6"	-87°, 15', 20.5"	Outfall removed	Big Creek
010	S-159 010	38°, 01', 52.7"	-87°, 17', 8.6"	Outfall removed	Big Creek
011*	S-335 001	38°, 13', 49.9"	-87°, 21', 43.6"	Outfall removed	Smith Fork of Pigeon Creek
012*	S-335 002	38°, 13', 50.6"	-87°, 21', 16.9"	Outfall removed	Smith Fork of Pigeon Creek
013	S-335 003	38°, 13', 50"	-87°, 22', 37"	Outfall removed	Smith Fork of Pigeon Creek
014	S-335 014	38°, 13', 55"	-87°, 22', 35"	Outfall removed	Smith Fork of Pigeon Creek
015	S-335 015	38°, 13', 49"	-87°, 23', 01"	Outfall removed	Smith Fork of Pigeon Creek
016	S-335 016	38°, 13', 53"	-87°, 23', 12"	Outfall removed	Smith Fork of Pigeon Creek
017	S-322 017	38°, 14', 7.1"	-87°, 21', 44.8"	Outfall removed	Smith Fork of Pigeon Creek
018*	S-322 018	38°, 14', 8"	-87°, 21', 49"	Outfall never constructed	Smith Fork of Pigeon Creek
18S	S-335 018S	38°, 14', 7.1"	-87°, 21', 48.6"	Outfall never constructed	Smith Fork of Pigeon Creek
019	S-322 019	38°, 14', 9.4"	-87°, 20', 40.6"	Outfall never constructed	Unnamed Tributary to Smith Fork

020*	S-335 020	38°, 14', 00"	-87°, 21', 51"	Outfall never constructed	Unnamed Tributary to Smith Fork
021	S-335 021	38°, 14', 23.5"	-87°, 21', 49"	Outfall never constructed	Unnamed Tributary to Smith Fork
023	S-322 023	38°, 14', 52.5"	-87°, 21', 26"	Outfall never constructed	Unnamed Tributary to Smith Fork
024	S-335 024	38°, 13', 55"	-87°, 22', 03"	Outfall removed	Smith Fork of Pigeon Creek
025	S-335 024	38°, 13', 58"	-87°, 21', 22.6"	Outfall removed	Smith Fork of Pigeon Creek
026	S-335 024	38°, 14', 12"	-87°, 21', 17"	Outfall removed	Smith Fork of Pigeon Creek
027*	S-335 027	38°, 13', 45"	-87°, 21', 14"	Area fully reclaimed	Smith Fork of Pigeon Creek
028*	S-322 028	38°, 13', 54"	-87°, 21', 3"	Area fully reclaimed	Smith Fork of Pigeon Creek
029	S-335 029	38°, 14', 7.5"	-87°, 21', 51"	Different outfall constructed this location	Smith Fork of Pigeon Creek
29N	S-335 29N	38°, 14', 7.9"	-87°, 21', 50.3"	Different outfall constructed this location	Smith Fork of Pigeon Creek
29S	S-335 29S	38°, 14', 6.9"	-87°, 21', 50.2"	Different outfall constructed this location	Smith Fork of Pigeon Creek
030	S-335 010	38°, 14', 00"	-87°, 21', 57"	Outfall removed	Smith Fork of Pigeon Creek
031*	S-335 011	38°, 14', 5.9"	-87°, 22', 40.6"	Outfall removed	Smith Fork of Pigeon Creek
033	S-335 033	38°, 14', 14.7"	-87°, 22', 7"	Outfall never constructed	Smith Fork of Pigeon Creek
034	S-335 034	38°, 14', 20.9"	-87°, 20', 39.9"	Outfall removed	Smith Fork of Pigeon Creek
035*	S-335 035	38°, 14', 31"	-87°, 21', 13"	Outfall mined through	Smith Fork of Pigeon Creek
036	S-322 036	38°, 14', 4"	-87°, 21', 30"	Outfall removed	Smith Fork of Pigeon Creek
037	S-335 007	38°, 13', 20"	-87°, 21', 50"	Outfall never constructed	Big Creek
038	S-335 038	38°, 14', 13"	-87°, 20', 51"	Outfall removed	Unnamed Tributary to Smith Fork
042	S-335 042	38°, 14', 40"	-87°, 21', 30"	Outfall never constructed	Smith Fork of Pigeon Creek
073	S-322 073	38°, 14', 0.6"	-87°, 20', 43.7"	Outfall removed	Smith Fork of Pigeon Creek
130	S-335 010	38°, 13', 59.7"	-87°, 22', 3.3"	Outfall never constructed	Smith Fork of Pigeon Creek

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2017 – 2D -GP

DATE OF NOTICE: February 17, 2017

The Office of Water Quality approves the following for NPDES GENERAL PERMIT coverage.

MODIFICATION

PEABODY MIDWEST MINING, LLC – SOMERVILLE SOUTH MINE, Permit No. ING040038, GIBSON COUNTY, Elberfeld, IN. This modification is being issued because the facility is deleting 1 outfall. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>.



Indiana Department of Environmental Management
 NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
 327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation Activities

I. PURPOSE OF SUBMITTAL:				01/6/2017
Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.				
NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
		X	ING040038	Drop existing Outfall 001.

II. GENERAL INFORMATION									
Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.									
a. APPLICANT NAME (TO THE ATTENTION OF)				e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR FACILITY NUMBER	
Peabody Midwest Mining, LLC. Attn: Jeffrey Olyphant				1211		Gibson		S-0150, S-0159, S-0322, S-0335	
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER					
COMPANY NAME Peabody Midwest Mining, LLC.				Latitude			Longitude		
STREET ADDRESS 566 Dickeyville Road				Degrees	minutes	seconds	degrees	minutes	seconds
CITY Lynnville	STATE IN	ZIP CODE 47619		38°	13'	04"	87°	24'	43"
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION					
Peabody Midwest Mining, LLC. – Somerville South Mine				Township	Range	Section	Quartersection		
				3S	9W	13, 21, 22, 24-28, 34-36			
				3S	8W	18, 19, 20, 29-32			
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId					
STREET ADDRESS 8278 South C.R. 850E				STREET ADDRESS N/A					
CITY Elberfeld	STATE IN	ZIP CODE 47613		CITY N/A		STATE N/A	ZIP CODE N/A		

III. CONTACT INFORMATION AUTHORIZED SIGNATORY	
This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.	
a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
Jeffrey Olyphant, Authorized Representative	Andrew Nelson, Authorized Representative
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
(812) 922-1047	(812) 922-1045
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
jolyphant@peabodyenergy.com	anelson@peabodyenergy.com

IV. CONTACT INFORMATION OTHER:			
DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u> Jeffrey Olyphant Peabody Midwest Mining, LLC.	
a. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1047		d. <u>STREET ADDRESS</u> 566 Dickeyville Rd	
b. <u>CONTACT EMAIL ADDRESS</u> jolyphant@peabodyenergy.com		e. <u>CITY</u> Lynnville	f. <u>STATE</u> IN
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		g. <u>ZIP CODE</u> 47619	
		j. <u>COMPANY AND CONTACT PERSON NAME</u> Jeffrey Olyphant Peabody Midwest Mining, LLC.	
h. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1047		k. <u>STREET ADDRESS</u> 566 Dickeyville Rd	
i. <u>CONTACT EMAIL ADDRESS</u> jolyphant@peabodyenergy.com		l. <u>CITY</u> Lynnville	f. <u>STATE</u> IN
		g. <u>ZIP CODE</u> 47619	
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. <u>COMPANY AND CONTACT PERSON NAME</u> Andrew Nelson Peabody Midwest Mining, LLC.	
o. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1045		r. <u>STREET ADDRESS</u> 566 Dickeyville Rd	
p. <u>CONTACT EMAIL ADDRESS</u> anelson@peabodyenergy.com		s. <u>CITY</u> Lynnville	f. <u>STATE</u> IN
		g. <u>ZIP CODE</u> 47619	

V. RULE QUALIFICATION:
The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.
Does this facility meet these requirements? (please check one) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.
This facility is a surface coal mine. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS											
a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DRY WEATHER BASE FLOW	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
See Attachment VI											

VII. OUTFALL INFORMATION FOR MODIFICATIONS: Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
001	S-150 001	DROP	2/1/2017	Outfall 001 is being dropped from the permit. The drainage area is reclaimed and stable.

VIII. TOPOGRAPHICAL MAP

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

Please attach this completed map to the application and submit both together.

IX. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
 Office of Environmental Adjudication
 Indiana Government Center – North
 100 North Senate Avenue, Room N501
 Indianapolis, Indiana 46204"

Please note: The public notice for this area was published with the original notice of intent and subsequent renewals. The outfalls being modified in this NOI are in an area that has previously been public noticed.

X. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

Please note: No additional persons are potentially affected by the modification(s) contained herein. The original permit application and subsequent renewal included all potentially affected persons within, and adjacent to the permit area.

XI. REQUIRED FEES:

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

A check payable to IDEM in the amount of \$50.00 is attached to this application.

XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

A copy of this application will be provided to Mr. Clay Dayson, Indiana Department of Natural Resources, Division of Reclamation, 14619, W. State Road 48, Jasonville, IN 47438-9517.

XIII. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

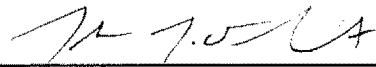
"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Jeffrey J Olyphant, Authorized Representative

(812) 922-1047

Name and official title (type or print)

Area Code and phone No.



1/6/2017

Signature

Date signed

Submit completed form and attachments to the following address:

**Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

Attachment VI

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS											
a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DRY WEATHER BASE FLOW	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
001	001	38	14	10.3	87	24	16.5	0	Dropped	N	Smith Fork of Pigeon Creek
002	002	38	13	39.9	87	24	24.2	0	Dropped	N	Big Creek
004	SP4 DC- P2	38	12	32.0	87	23	43.0	0	Reclamation	N	Big Creek
04A	004	38	12	45	87	22	20	0	Dropped	N	Big Creek
07R	007	38	13	33.6	87	24	23.9	0	Dropped	N	Big Creek
011	001	38	13	49.9	87	21	43.6	0	Dropped	N	Smith Fork of Pigeon Creek
012	002	38	13	50.6	87	21	16.9	0	Dropped	N	Smith Fork of Pigeon Creek
017	017	38	14	07.1	87	21	44.8	0	Dropped	N	Smith Fork of Pigeon Creek
18N	018N	38	14	08.2	87	21	48.7	0	Alkaline	N	Smith Fork of Pigeon Creek
018	018	38	14	07.7	87	21	49.0	0	Dropped	N	Smith Fork of Pigeon Creek
18S	018S	38	14	07.1	87	21	48.6	0	Dropped	N	Smith Fork of Pigeon Creek
019	019	38	14	09.4	87	20	40.6	0	Dropped	N	Unnamed tributary to Smith Fork
020	020	38	13	59.8	87	21	51.2	0	Dropped	N	Unnamed tributary to Smith Fork
20A	020	38	13	58.3	87	22	03.4	0	Reclamation	N	Unnamed tributary to Smith Fork
021	021	38	14	23.5	87	21	48.8	0	Dropped	N	Unnamed tributary to Smith Fork
022*	022	38	14	40.3	87	21	38.9	0	Alkaline	N	Unnamed tributary to Smith Fork
023	023	38	14	52.5	87	21	26.1	0	Dropped	N	Unnamed tributary to Smith Fork
024	024	38	13	55	87	22	03	0	Dropped	N	Smith Fork of Pigeon Creek
025	025	38	13	58	87	21	22.6	0	Dropped	N	Smith Fork of Pigeon Creek
026	026	38	14	12	87	21	17	0	Dropped	N	Smith Fork of Pigeon Creek
027	027	38	13	45.4	87	21	14.4	0	Dropped	N	Smith Fork of Pigeon Creek
028	028	38	13	53.8	87	21	03.1	0	Dropped	N	Smith Fork of Pigeon Creek
29N	29N	38	14	07.9	87	21	50.3	0	Dropped	N	Smith Fork of Pigeon Creek
029	029	38	14	07.5	87	21	51	0	Dropped	N	Smith Fork of Pigeon Creek
29S	29S	38	14	06.9	87	21	50.2	0	Dropped	N	Smith Fork of Pigeon Creek
030	010	38	13	59.7	87	22	03.3	0	Dropped	N	Smith Fork of Pigeon Creek
031	011	38	14	05.9	87	22	40.6	0	Dropped	N	Smith Fork of Pigeon Creek
032	012	38	14	02.0	87	23	29.0	0	Reclamation	N	Smith Fork of Pigeon Creek
033	033	38	14	14.7	87	22	07	0	Dropped	N	Smith Fork of Pigeon Creek
034	034	38	14	20.9	87	20	39.9	0	Dropped	N	Smith Fork of Pigeon Creek
035	035	38	14	31.1	87	21	13.2	0	Dropped	N	Smith Fork of Pigeon Creek

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DRY WEATHER BASE FLOW	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER <u>OR if g is</u> <u>YES</u> name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
036	036	38	14	04	87	21	30	0	Dropped	N	Smith Fork of Pigeon Creek
037	007	38	13	20	87	21	50	0	Dropped	N	Big Creek
038	038	38	14	13	87	20	51	0	Dropped	N	Unnamed tributary to Smith Fork
039	039	38	14	14	87	20	37	0	Alkaline	N	Unnamed tributary to Smith Fork
040	040	38	14	23	87	20	34	0	Alkaline	N	Smith Fork of Pigeon Creek
041	041	38	14	23	87	20	41	0	Alkaline	N	Smith Fork of Pigeon Creek
042	042	38	14	40	87	21	30	0	Dropped	N	Smith Fork of Pigeon Creek
060	060	38	14	08	87	19	53	0	Alkaline	N	Smith Fork of Pigeon Creek
063	063	38	12	47	87	19	51	0	Alkaline	N	Unnamed tributary to Big Creek
066*	066	38	12	21	87	19	53	0	Alkaline	N	Unnamed tributary to Big Creek
068*	068	38	13	48	87	20	31	0	Alkaline	N	Unnamed tributary to Smith Fork
070	070	38	14	15	87	20	16	0	Alkaline	N	Smith Fork of Pigeon Creek
073	073	38	14	00.6	87	20	43.7	0	Dropped	N	Smith Fork of Pigeon Creek
074*	074	38	13	10	87	20	23	0	Alkaline	N	Unnamed tributary to Big Creek
075*	075	38	12	33	87	19	50	0	Alkaline	N	Unnamed tributary to Big Creek
130	010	38	13	59.7	87	22	3.3	0	Dropped	N	Smith Fork of Pigeon Creek
136*	036	38	14	08.3	87	21	33.6	0	Alkaline	N	Smith Fork of Pigeon Creek

* Unconstructed Outfall

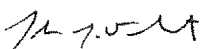
I. Identification of Potentially Affected Persons

Please list here any and all persons who you have reason to believe have a substantial or proprietary interest in this matter, or could otherwise be considered to be potentially affected under the law. Failure to notify any person who is later determined to be potentially affected could result in voiding our decision on procedural grounds. To ensure conformance with AOPA and to avoid reversal of a decision, please list all such parties. The letter attached to this form will further explain the requirements under the AOPA. Attach additional names and addresses on a separate sheet of paper, as needed. Please indicate below the type of action you are requesting.

Name: There are no new Potentially Street: Affected Persons in this submittal City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:

II. Please complete this form by signing the following statement.

I certify to the best of my knowledge I have listed all potentially affected parties, as defined by IC 4-21.5.

Signature:  Printed Name: **Jeffrey Olyphant** Date: **1/6/2017**

Facility Name: **Somerville South Mine**

Facility Address: **Peabody Midwest Mining, LLC., 7100 Eagle Crest Blvd, Evansville, IN 47710**

III. Type of Action (check one)

- ☒ NPDES PERMIT – 327 IAC 5
☐ PRETREATMENT PERMIT – 327 IAC 5
☐ SEWER BAN WAIVER REQUEST – 327 IAC 4
☐ CONSTRUCTION PERMIT – 327 IAC 3

Return To:

Indiana Department of Environmental Management
Office of Water Quality
Permits Section
100 North Senate Avenue
Indianapolis, IN 46204

COMPLIANCE INSPECTION REPORT

Page 3 of 3Permittee: Peabody Midwest Mining LLCMine: Somerville South (Enterprise)

Signature of Company Representative: _____

Unit #: 312Date of Inspection: November 10, 2016Time: 8:00 pm

COMMENTS:

8. Hydrologic Balance

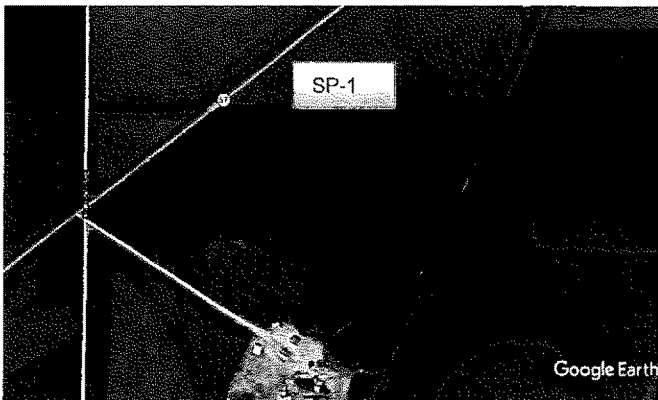
Sediment basin #SP-1 (outfall 001): Peabody has been monitoring the outfall for the past several years. The outfall was monitored monthly for years, then status was changed to quarterly couple of years back. Historically, the discharge has met the effluent limits as outlined in NPDES permit. The watershed for sediment basin has been reclaimed. A percentage of the watershed has already been released. The entire watershed is eligible for final release. The design plans have been approved.

The monitoring frequencies for permanent impoundments on interim and permanent program areas shall remain in effect until all of the following conditions are met:

#SP-1 has met these requirements.

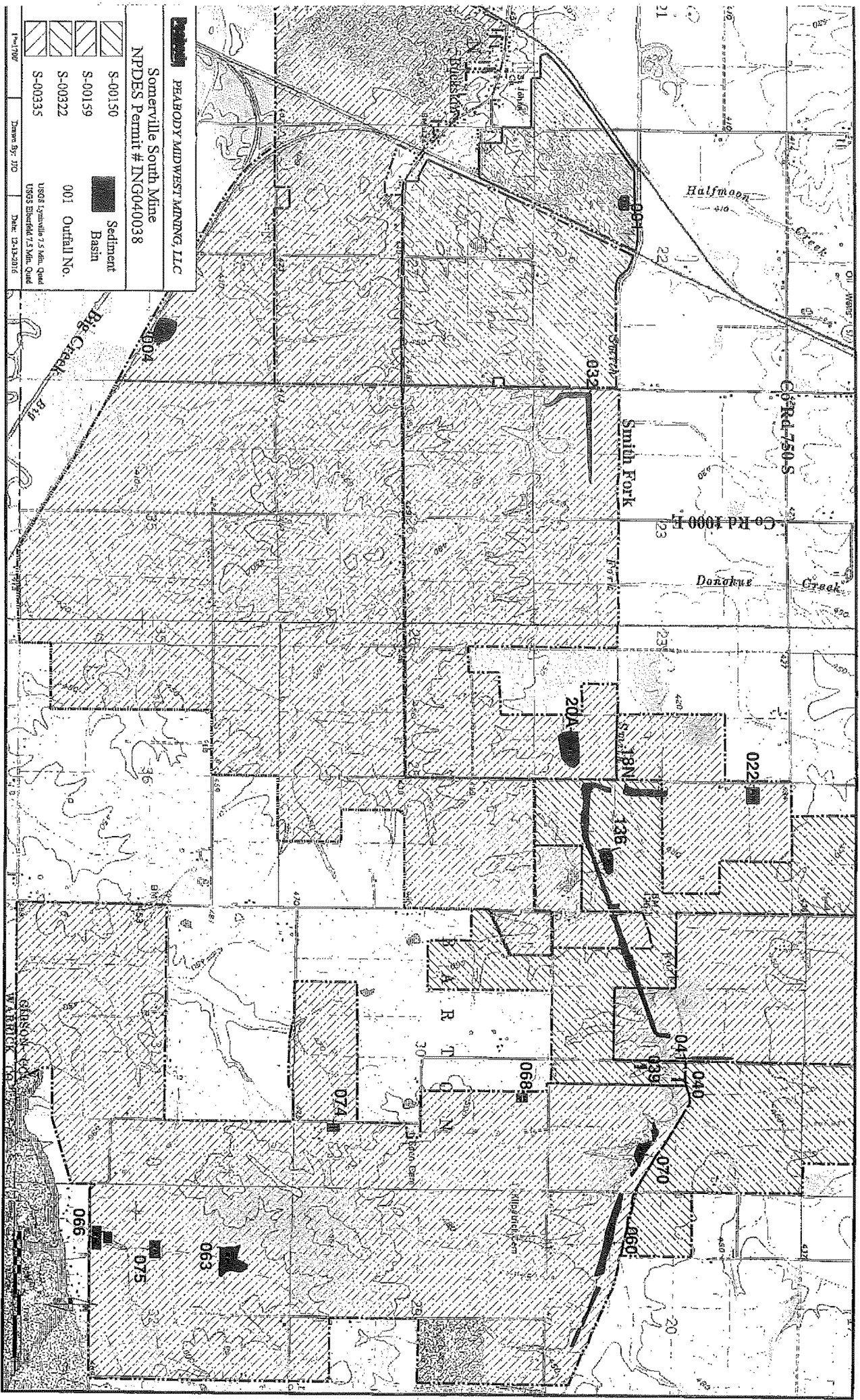
- a. The entire watershed of the basin is stable and free of active erosion.
- b. Effluent limits have been met.
- c. No un-reclaimed affected area drainage or pit pumpage is directed through the basin.
- d. The post mine land use of permanent impoundment has been approved.
- e. The area has been re-vegetated consistent with the approved land use for at least two years.

Peabody will need to get approval from IDEM before the outfall can be terminated.



Signature: _____

*Clay Dawson*Date: November 14, 2016



PEABODY MIDWEST MINING, LLC
Somerville South Mine
NPDES Permit # ING040038

	S-00150		001
	S-00159		001
	S-00322		001
	S-00335		001

USGS Synville 7.5 Min. Quad
USGS Bismarck 7.5 Min. Quad
Date: 12-13-2016